

House Bill 1364

By: Representatives Casas of the 103rd, Hembree of the 67th, and Coleman of the 97th

A BILL TO BE ENTITLED
AN ACT

1 To amend Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of
2 Georgia Annotated, relating to the employment of certificated professional personnel in
3 elementary and secondary education, so as to provide for alternative teaching certifications
4 for former military personnel under certain conditions; to provide for requirements for such
5 alternative certification; to provide for period of certification and renewal; to provide for
6 criminal records checks; to provide for statutory construction; to prohibit discrimination or
7 disparate treatment for teachers and applicants for alternative certification; to revise
8 provisions for purposes of conformity; to provide for related matters; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia
13 Annotated, relating to the employment of certificated professional personnel in elementary
14 and secondary education, is amended by revising subsections (a) and (b) of Code Section
15 20-2-200, relating to teacher certification, as follows:

16 "(a) The Professional Standards Commission shall provide, by regulation, for certifying
17 and classifying all certificated professional personnel employed in the public schools of
18 this state. No such personnel shall be employed in the public schools of this state unless
19 they hold certificates issued by the commission certifying their qualifications and
20 classification in accordance with such regulations. The commission shall establish such
21 number of classifications of other certificated professional personnel as it may find
22 reasonably necessary or desirable for the operation of the public schools; provided,
23 however, that such classifications shall be based only upon academic, technical, and
24 professional training, experience, and competency of such personnel. The commission is
25 authorized to provide for denying a certificate to an applicant, suspending or revoking a
26 certificate, or otherwise disciplining the holder of a certificate for good cause after an

1 investigation is held and notice and an opportunity for a hearing are provided the certificate
2 holder or applicant in accordance with subsection (d) of Code Section 20-2-984.5. The
3 commission shall designate and define the various classifications of professional personnel
4 employed in the public schools of this state that shall be required to be certificated under
5 this Code section, ~~or under Code Section 20-2-206,~~ or Code Section 20-2-207. Without
6 limiting the generality of the foregoing, the term 'certificated professional personnel' is
7 defined as all professional personnel certificated by the commission and county or regional
8 librarians.

9 (b)(1) The Professional Standards Commission shall establish rules and regulations for
10 appropriate requirements and procedures to ensure high-quality certification standards
11 for all Georgia educators while facilitating the interstate mobility of out-of-state certified
12 educators.

13 (2) Requirements established for initial certification applicants new to the profession, to
14 include out-of-state program completers with or without certificates and with no teaching
15 experience, may include, but are not limited to, demonstrated satisfactory proficiency in
16 the following: a test of broad general knowledge; a test of specific subject matter content
17 or other professional knowledge appropriate to the applicant's field of certification;
18 computer skill competency; standards of ethical conduct; and course work in the
19 identification and education of children who have special educational needs; provided,
20 however, that this paragraph shall not be construed to apply to alternative certification
21 requirements as provided in Code ~~Section~~ Sections 20-2-206 or 20-2-207.

22 (3) Requirements established for holders of valid, professional out-of-state certificates
23 applying for their first Georgia certificate may include, but are not limited to the
24 following: computer skill competency; course work in the identification and education
25 of children who have special educational needs; recency of study; and standards of ethical
26 conduct. These requirements may be completed during the validity period of the first
27 Georgia certificate. At the time of application for the first Georgia certificate,
28 satisfactory proficiency in subject matter content appropriate to the applicant's field of
29 certification may be determined based on Professional Standards Commission approved
30 tests or combinations of successful teaching experience and academic, technical, and
31 professional preparation as outlined in rules of the Professional Standards Commission.

32 (4) Requirements for certification renewal shall be established to foster ongoing
33 professional learning, enhance student achievement, and verify standards of ethical
34 conduct. Such requirements may include, but are not limited to, professional learning
35 related to school improvement plans or the applicant's field of certification and
36 background checks. Should the Professional Standards Commission include a

1 requirement to demonstrate computer skill competency, the rules and regulations shall
2 provide that a certificated educator may elect to meet the requirement by:

3 (A) Completing a course in computer skill competency, including but not limited to the
4 phase one InTech model training program; or

5 (B) Receiving satisfactory results on a test in basic computer skill competency. If a
6 certificated educator elects to take such test pursuant to this subparagraph, the local
7 school system by which such educator is employed shall make available the opportunity
8 to take the test on site at the school in which the educator is assigned. Each principal
9 shall identify an administrator on site at each school to serve as a proctor for individuals
10 taking the test pursuant to this subparagraph.

11 Individuals holding a valid Georgia life certificate or a valid National Board for
12 Professional Teaching Standards certificate shall be deemed to have met state renewal
13 requirements except those related to background checks.

14 (5) Requirements designating approved in-field assignment standards appropriate to the
15 applicant's field of certification shall be established to ensure that educators are assigned
16 to those areas for which they are properly prepared. These standards may be determined
17 based on reviews of state approved curriculum courses, state approved preparation
18 programs, and designated certificate fields."

19 SECTION 2.

20 Said subpart is further amended by adding a new Code section to read as follows:

21 "20-2-207.

22 (a) Each local school system may provide an alternative teacher certification program upon
23 approval by the Professional Standards Commission for a teacher candidate who:

24 (1) Has received a passport certificate issued by the American Board for Certification of
25 Teacher Excellence;

26 (2) Possesses a minimum of a bachelor's degree;

27 (3) Meets any requirements of this subpart and commission rules relating to the content
28 areas of biology, chemistry, elementary education, English, United States and world
29 history, mathematics, physics, science, or special education; and

30 (4) Is a current or former active duty member of the United States military.

31 (b)(1) A certificate issued by the commission pursuant to this Code section shall be valid
32 for one year.

33 (2) A certificate issued by the commission pursuant to this Code section may be renewed
34 annually for up to two additional years upon the successful completion of teaching
35 instruction and of the local school system's induction program.

(c) All individuals making application for certification pursuant to this Code section, shall be fingerprinted and have a criminal record check made as required by this subsection. Fingerprints shall be in such form and of such quality as shall be acceptable for submission to the National Crime Information Center under standards adopted by the Federal Bureau of Investigation or the United States Department of Justice. It shall be the duty of each law enforcement agency in this state to fingerprint those persons required to be fingerprinted by this subsection. At the discretion of the commission, fees required for a criminal record check by the Georgia Crime Information Center, the National Crime Information Center, the Federal Bureau of Investigation, or the United States Department of Justice shall be paid by the individual making application to the Professional Standards Commission. Information provided by the Georgia Crime Information Center or the National Crime Information Center shall be used only for the purposes allowed by Code Section 35-3-35 or by applicable federal laws, rules, or regulations.

(d) The Professional Standards Commission shall apply the least restrictive standards when approving a school system developed program under this Code section.

(e) Any teacher certified pursuant to this Code section shall be considered a highly qualified teacher for purposes of the federal No Child Left Behind Act (P.L. 107-110).

(f) A teacher receiving initial certification pursuant to this Code section shall be treated in the same manner as certificated professional personnel for purposes of this chapter or any local board of education policy, including receiving salaries pursuant to the minimum salary schedule provided for in Code Section 20-2-212."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.